

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDREW KRIVAK, JR.,

Plaintiff,

-against-

**DECLARATION OF
JAMES A. RANDAZZO**

Docket No.: 23-cv-6960 (KMK)

PUTNAM COUNTY; Putnam County Sheriff's Department Sheriff ROBERT THOUBBORON, in his individual capacity; Putnam County Sheriff's Department Officers HAROLD TURNER, DANIEL STEPHENS, PATRICK CASTALDO, WILLIAM QUICK, JOHN DANIEL REES, WILLIAM ASHER in their individual capacities; Putnam County District Attorneys ROBERT V. TENDY and KEVIN WRIGHT, in their individual capacities; Putnam County Assistant District Attorneys LARRY GLASSER; CHANA KRAUSS; and CHRISTOPHER YORK, in their individual capacities; District Attorney Investigator RALPH CILENTO in his individual capacity; and DENISE ROSE,

Defendants.

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JAMES A. RANDAZZO declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to practice before this Court and am a partner with Portale Randazzo LLP, counsel to Defendants Putnam County, Robert Thoubboron, Harold Turner, Daniel Stephens, Patrick Castaldo, William Quick, John Daniel Rees, William Asher, Robert V. Tendy, Kevin Wright, Larry Glasser, Chana Krauss, Christopher York and Ralph Cilento in this action.

2. I make this declaration to place before the Court certain materials in support of the Defendants Robert V. Tendy, Kevin Wright, Larry Glasser, Chana Krauss and Christopher York's motion to dismiss Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(6).

3. Exhibit "A" is a copy of Plaintiff's Complaint, filed August 8, 2023, via ECF as Document No. 1 in this action.

4. Exhibit "B" is a copy of a grand jury indictment dated July 19, 1996, accusing Plaintiff and Anthony DiPippo of second degree murder and rape in the first degree of Josette Wright.

5. Exhibit "C" is an excerpt from the deposition of Harold Turner in *DiPippo v. County of Putnam, et al.*, dated January 15, 2020.

6. The documents referenced above are true and correct copies of what they purport to be.

7. I declare under penalty of perjury that the foregoing is true and correct.

Dated: White Plains, New York
January 19, 2024

PORTALE RANDAZZO LLP

/s/ James A. Randazzo
James A. Randazzo
*Attorneys for Defendants Putnam County,
Robert Thoubboron, Harold Turner, Daniel
Stephens, Patrick Castaldo, William Quick,
John Daniel Rees, William Asher, Robert V.
Tendy, Kevin Wright, Larry Glasser, Chana
Krauss, Christopher York, and Ralph
Cilento*
245 Main Street, Suite 605
White Plains, New York 10601
(914) 359-2400

To: Counsel of record via ECF.